

A regular meeting of the City Council was held in the Council Chambers with Councillor Cruise presiding. The meeting was called to order at 8:01 pm with seven members being present. Councillors DuBois, MacMillan , Petti and Sullivan absent.

In City Council, January 28, 2013

### HEARINGS

Petition of Verizon New England, Inc., proposing to place 2-4 inch conduits from existing MH 232 at the intersection of Pleasant and Ash Streets, Southerly across Pleasant St., to Pole 24/1-1 Ash Street; approximately 200 feet.

Mr. Feeney appeared on behalf of Verizon New England, Inc. No one appeared in opposition. Hearing held.

Petition of Clifford Lechtur 249 Belmont Ave., Brockton for a Solicit and Canvass license for Signature Cleaners (Legion Parkway Cleaners).

Mr. Lechtur appeared in favor. Councillor Monahan questioned the petitioner on what he wanted to canvass. The petitioner stated that he will be knocking on doors and handing out coupons. Councillor Brophy questioned the petitioner on the location where he is going to give out the coupons. The Clerk to the Council stated that he can canvass anywhere in the City, but it is only for him to canvass. He needs to let the Police know where he will be canvassing and the hours. If the hours are after 6pm, he has to let the Police know. Hearing held. Granted by a roll call vote taken by “yeas” and “nays”; six members present and all voting in the affirmative. Councillors DuBois, MacMillan , Petti, Stewart and Sullivan absent.

### REPORTS

- 31** Of the Finance Committee for its meeting of January 22, 2013

Accepted and placed on file

### COMMUNICATIONS

- 32** From the DPW Commissioner requesting acceptance of the award from the Massachusetts Department of Environmental Protection (MassDEP) Sustainable Materials Recovery Program Municipal Grant (SMRP) in the amount of \$2,000.00. The purpose of the grant is to purchase a second Paint Swap Shed needed to help with the increase of paint being dropped off at the City of Brockton Recycling Depot at 301 Oak Hill Way.

Accepted and placed on file

- 33** From the Mayor recommending that the City Council authorize the acceptance and appropriation of the award of \$2,000.00 from the Massachusetts Department of Environmental Protection Sustainable Materials Recovery Program Grant for Small Scale Initiatives to Department of Public Works- Sustainable Materials Recovery Program Grant for Small Scale Initiatives. This grant is to fund the city’s recycling program, which provides the collection of mercury, paint, and automotive waste collection equipment.

Accepted and placed on file

- 34** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed grant of \$2,000.00 from Massachusetts Department of Environmental Protection Sustainable Materials Recovery Program Grant for Small Scale Initiatives to Department of Public Works- Sustainable Materials Recovery Program Grant for Small Scale Initiatives.

**COMMUNICATIONS (cont'd)**

Accepted and placed on file

- 35** From the City Auditor certifying that the balance of the Sale of Lots and Graves Account as of January 18, 2013 is \$369,272.81

Accepted and placed on file

- 36** From the Acting Superintendent of Cemeteries requesting a transfer of \$80,000 from Account Sale of Lots and Graves to Melrose Department Equipment for the purchase of a new Backhoe Loader to replace current 1997 Backhoe Loader.

Accepted and placed on file

- 37** From the Mayor in accordance with the General Laws of Massachusetts, Ch. 44, recommending a transfer of \$80,000 from Sale of Lots and Graves to Cemetery Capital Projects for purchasing a Backhoe Loader.

Accepted and placed on file

- 38** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed transfer of \$80,000 from Sale of Lots and Graves to Cemetery Capital Projects

Accepted and placed on file

- 39** From the Chief of Police requesting authorization to expend grant monies related to FY2013 State 911 Department Training and Emergency Medical Dispatch Grant in the amount of \$151,419.69

Accepted and placed on file

- 40** From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the appropriation of the grant award in the amount of \$151,419.69 from FY2013 State 911 Department Training and Emergency Medical Dispatch Grant to Brockton Police Department: FY2013 State 911 Department Training and Emergency Medical Dispatch Grant. These grant funds will be used to pay for a contracted vendor to deliver state certified classes on site at the Brockton Police Department for all Police and Electronic Telecommunication Dispatchers.

Accepted and placed on file

- 41** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$151,419.69 from FY2013 State 911 Department Training and Emergency Medical Dispatch Grant to Brockton Police Department: FY2013 State 911 Department Training and Emergency Medical Dispatch Grant.

Accepted and placed on file

**UNFINISHED BUSINESS**

Petition of Antero Rodrigues & Joao Depina, Unique Collision & Repair Center for a Motor Vehicle Repair Mechanical/Body License located at 225 North Montello St. (IN CITY COUNCIL JANUARY 14, 2013, POSTPONED UNTIL NEXT CITY COUNCIL MEETING)

Antero Rodrigues and Joao Depina appeared in favor. Councillor DeNapoli stated that Councillor DuBois has the flu, and he will speak on her behalf. Councillor DeNapoli stated that it used to be North End Motors.

**UNFINISHED BUSINESS (cont'd)**

The Clerk to the Council stated that the Fire Department has objections to the MVR Body license, no painting, priming or bondoing until such time as the proper equipment is installed and inspected by the Fire Department. The MVR Repair License can be granted now. Councillor DeNapoli motioned to grant the license with the following stipulations and was properly seconded:

Hours of operation Monday-Saturday 7am-6pm, No outside storage of auto parts or by products and no outside telephone or vending machines

Granted with stipulation, by a hand vote.

- 1** Reappointment of Thomas A. DeChellis as a Special Police Officer of the City of Brockton for a one year term ending January 2014. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”: six members present and all voting in the affirmative. Councillors DuBois, MacMillan, Petti Stewart and Sullivan absent.

- 16** Appropriation of \$5,000  
From: Treasurer’s purchase of services-security/fire control  
To: Treasurer’s personal services-overtime  
(In order to cover the expected overtime costs for the remainder of the fiscal year)  
(FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”: six members present and all voting in the affirmative. Councillors DuBois, MacMillan, Petti, Stewart and Sullivan absent.

- 17** Appropriation of \$18,895  
From: Stabilization Fund FY13  
To: Mayor-Personal Services  
(for the separation costs for Kenneth Thompson) (FAVORABLE)

Councillor Stewart stepped in at 8:15pm

Councillor DeNapoli motioned to refer item **17** back to Finance and was properly seconded. The motion failed by a hand vote with seven members present with two voting in the affirmative. Councillors Brophy, Cruise, Eaniri, Monahan, and Studenski voting in the negative. Councillors DuBois, MacMillan, Petti, and Sullivan absent. Adopted by a roll call vote taken by “yeas” and “nays”; seven members present with six voting in the affirmative. Councillor DeNapoli voting in the negative. Councillors DuBois, MacMillan, Petti, and Sullivan absent. Councillor Brophy motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 24** Ordered: That the City Council votes to approve the adoption by the Brockton Contributory Retirement Board of the local option to increase the annual benefits payable to widows of disabled public employees to \$12,000.00 per year, in accordance with the provisions of M.G.L. Ch. 32 Sec. 101. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”: seven members present and all voting in the affirmative. Councillors DuBois, MacMillan, Petti, and Sullivan absent.

- 25** Ordered: That the City Council votes to approve the adoption by the Brockton Contributory Retirement Board of the local option to increase the minimum monthly pension allowance from \$250.00 to \$500.00 to beneficiaries of employees eligible to retire who died in service prior to retirement pursuant to Option (d) under M.G.L., Ch. 32 Sec. 12. (FAVORABLE)

**UNFINISHED BUSINESS (cont'd)**

Adopted by a roll call vote taken by “yeas” and “nays”: seven members present and all voting in the affirmative. Councillors DuBois, MacMillan, Petti, and Sullivan absent.

- 26** Ordered: That the following named sum be and the same is hereby appropriated as the same was submitted by the Mayor as follows appropriation of the grant award in the amount of \$8,500 in grant funds from the MEMA (EMPG) Performance Grant Program. (The Brockton Emergency Management (BEMA) intends to use the grant funds for radios and radio equipment for the Brockton Fire and Brockton Police Department. No matching funds are required)  
(FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; seven members present and all voting in the affirmative. Councillors DuBois, MacMillan, Petti, and Sullivan absent.

**ORDERS**

- 42** Ordinance: An Ordinance amending Chapter XXVII of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council of Brockton as follows: Section 27-25 R-1 Zones, single family residential zones.

Referred to Ordinance and Planning

- 43** Appropriation of: \$2,000.00  
From: Massachusetts Department of Environmental Protection Sustainable Materials Recovery Program Grant for Small Scale Initiatives  
To: Department of Public Works- Sustainable Materials Recovery Program Grant for Small Scale Initiatives. (This grant is to fund the city’s recycling program, which provides the collection of mercury, paint, and automotive waste collection equipment.)

Referred to Finance

- 44** Appropriation of \$80,000  
From: Sale of Lots and Graves  
To: Cemetery Capital Projects (for purchasing a Backhoe Loader)

Referred to Finance

- 45** Appropriation of: \$151,419.69  
From: FY2013 State 911 Department Training and Emergency Medical Dispatch Grant  
To: Brockton Police Department: FY2013 State 911 Department Training and Emergency Medical Dispatch Grant. (These grant funds will be used to pay for a contracted vendor to deliver state certified classes on site at the Brockton Police Department for all Police and Electronic Telecommunication Dispatchers. (There is no required match for these funds)

Referred to Finance

- 46** Resolved: That Captain Leo Lloyd of the Salvation Army be invited to appear before a committee of the Council to provide information concerning the Salvation Army’s new curbside pick-up plan.

Referred to Finance

**10**  
**ORDERS (cont'd)**

Granting of Verizon New England, Inc., proposing to place 2-4 inch conduits from existing MH 232 at the intersection of Pleasant and Ash Streets, Southerly across Pleasant St., to Pole 24/1-1 Ash Street; approximately 200 feet.

Granted by a hand vote

**LATE FILE**

Councillor DeNapoli motioned to accept a late file and was properly seconded. The motion carried by a hand vote.

Resolve: that a representative of the Massachusetts Department of Revenue be invited to appear before a committee of this council to discuss their recommendations from the recently concluded report on the City of Brockton government.

Referred to Finance

Councillor DeNapoli takes a moment of personal privilege to state that on Wednesday, January 30<sup>th</sup> at 7pm, there will be a Ward 5 meeting at the Mary Baker School. Manny Gomes, Officer Healey and Bill Carpenter will be in attendance. Bob Gates will have a presentation to bring into the city a dollar general store.

Councillor Monahan takes a moment of personal privilege to state that on Monday, February 4, 2013 at 6pm there will be an Ordinance Committee Meeting.

Councillor Cruise stated that if you have any questions regarding the water meters, you can look on the City's website for more information and the telephone number is 888 709-9944.

Adjourned 8:26pm